

§ 101-49.305

legally be recovered or returned for any other reason, the donee shall pay to the U.S. Government the fair market value of the gift or decoration at the time of its loss, theft, or at the time that it became unrecoverable as determined by GSA. If the gift or decoration is damaged or destroyed, the State agency may require the donee to:

(1) Return the item and pay the difference between its former fair market value and its current fair market value, or

(2) Pay the fair market value, as determined by GSA, of the item had it not been damaged or destroyed.

[50 FR 83, Jan. 2, 1985, as amended at 53 FR 12768, Apr. 19, 1988]

§ 101-49.305 Costs incident to donation.

Costs incurred incident to donation of gifts and decorations shall be handled in accordance with § 101-44.104.

§ 101-49.306 Withdrawal of donable gifts and decorations for Federal utilization.

Gifts and decorations set aside or approved for donation may be withdrawn for Federal utilization in accordance with § 101-44.101.

§ 101-49.307 Donation of gifts withdrawn from sale.

Gifts that are being offered for public sale may be withdrawn and approved for donation in accordance with § 101-44.107.

[53 FR 12768, Apr. 19, 1988]

Subpart 101-49.4—Sale or Destruction of Foreign Gifts and Decorations

SOURCE: 48 FR 12091, Mar. 23, 1983, unless otherwise noted.

41 CFR Ch. 101 (7-1-99 Edition)

§ 101-49.400 Scope of subpart.

This subpart prescribes policies and procedures governing the sale of foreign gifts and decorations to recipients and the disposal by either sale or destruction of foreign gifts and decorations which GSA has determined are not needed for Federal utilization or donation.

[53 FR 12768, Apr. 19, 1988]

§ 101-49.401 Approval by the Secretary of State on sales.

The approval of the Secretary of State or the Secretary's designee shall be obtained before offering any gift for public sale.

§ 101-49.402 Sale of gifts by GSA to interested recipients.

GSA shall offer gifts through negotiated sales only to a recipient who has indicated an interest in purchasing the item(s). The mailing address and telephone number of the recipient shall be provided on the SF 120, Report of Excess Personal Property. The sales price shall be the appraised value of the gift(s) plus the cost of the appraisal. Sales shall be documented in accordance with part 101-45.

§ 101-49.403 Sale of gifts by GSA to the public.

GSA shall sell gifts in accordance with part 101-45.

§ 101-49.404 Proceeds from sales.

The proceeds from the sale of gifts shall be deposited in the Treasury as miscellaneous receipts, unless other disposition is authorized by law or regulation.

§ 101-49.405 Destruction of gifts and decorations.

Gifts that are not sold under this subpart 101-49.4 and decorations may be destroyed and disposed of as scrap or for their material content.